

PATENT APPLICATION
DOCKET NO.: 10010232-1

REMARKS

Entry of the amendments set forth herein is respectfully requested.

Claims 1-30 are currently pending, of which claims 1, 18, 22, and 28 are in independent form.

Claims 1, 18, 22, and 28 are proposed to be amended as set forth above by way of the present Response. No new matter is introduced.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

Regarding the Claim Rejections - 35 U.S.C. §112

Claims 28-30 are rejected in the pending Final Office Action under 35 U.S.C. §112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention."

Applicant respectfully submits that pending §112 rejections are overcome or otherwise rendered moot by way of the proposed amendments as set forth above.

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Regarding the Claim Rejections - 35 U.S.C. §102(b)

In the pending Final Office Action, claims 1-30 continue to be rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,009,480 to Pleso (hereinafter the *Pleso* reference) that was applied in the First Office Action. In response to Applicant's arguments filed on September 21, 2004, it is commented in the pending Office Action that:

Examiner strongly disagrees with applicant's assertion that *Pleso* fails to disclose the claimed limitations recited in claims 1, 18, 22 and 28. *Pleso* shows each and every limitation in claims 1, 18, 22 and 28. *Pleso* teaches said application software including software for effectuating user-customizable settings with respect to operating said peripheral device (column 8, lines 12-42 and column 8, lines 54-67 to column 9, lines 1-9; driver includes user-customizable settings with respect to operating said peripheral device). In addition, see the rejection above in paragraph 11 for rejection to claims 1, 18, 22 and 28.

Applicant respectfully traverses the outstanding §102(b) rejections and submits the following analysis for support. The *Pleso* reference appears to be directed to an "integrated device driver wherein the peripheral downloads the device driver via an I/O device after it is determined that the I/O device has the resources to support the peripheral device." Purportedly, the *Pleso* reference overcomes the problems associated with conventional

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techniques for installing device drivers by incorporating the device driver within the peripheral device to be installed. Additionally, the integrated device driver system of the Pleso reference provides for automatic downloading of the device driver, which may be operating system and/or processor independent, thereby avoiding user intervention. See column 2, lines 39 - 65. In operation, when a new device (e.g., printer 52) is found, the computer processor 12 of a host system 54 queries the printer 52 for what resources the printer 52 needs (e.g., interrupts, DMA channels, address space, et cetera). Upon determining by the processor via a look-up table that appropriate resources are available, a driver download sequence is initiated. See column 8, lines 19 - 35. This step involves downloading the peripheral device driver from the peripheral device to the host computer system 54. See column 8, lines 36 - 42. Whereas it is disclosed that the manner of downloading may vary based on the type of interface between the host computer and the peripheral device (e.g., using a particular bit rate for the ISA bus interface), see, e.g., column 8, line 56 to column 9, line 4, Applicant respectfully asserts that this processor-driven interaction between the peripheral device and the processor is not the same as uploading application software that comprises software for effectuating user-

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customizable settings, which enable user interaction with the peripheral device for customizing the operation of the peripheral device. In other words, *Pleso* appears concerned with processor-based "customization" of transferring a device driver from a peripheral device to a host computer. In contrast, Applicant's claimed invention involves, *inter alia*, transferring application software from a peripheral device to a host computer, which application software comprises software for effectuating customization of settings by a user relative to the peripheral device's operation.

Accordingly, Applicant respectfully submits that the base claims 1, 18, 22, and 28, as well as the dependent claims that respectively depend therefrom, are allowable over the *Pleso* reference.

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SUMMARY AND CONCLUSION

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the present invention, as now defined by the independent claims, and in further view of the above remarks and proposed amendments, reconsideration of the Action and allowance of the present invention are respectfully requested and are believed to be appropriate.

Respectfully submitted,

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